

ODMA\MHODMA\Manage;155866;1  
JMS/cjh  
08/22/00  
08/22/00

PATENT APPLICATION  
Attorney's Docket No.: 1159.1004-003 (SAB92-01A2A)

Expedited Procedure under 37 C.F.R. 1.116  
Examining Group 1743

HAND CARRIED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Steven A. Bogen and Herbert H. Loeffler

Application No.: 09/205,945

Group: 1743

Filed: December 4, 1998

Examiner: M. Wallenhurst

For: Dispensing Assembly With Interchangeable Cartridge Pumps

DO NOT ENTER

OK TO ENTER

OK AS ENTERED

RECEIVED  
AUG 23 2000  
TECHNOLOGY CENTER 1700

AMENDMENT AFTER FINAL REJECTION UNDER 37 C.F.R. 1.116

mw  
8-28-00  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This Amendment is being filed in response to the Final Office Action mailed from the U.S. Patent and Trademark Office on August 4, 2000 in the above-identified application.

Please amend the application as follows:

In the Specification

In the Abstract at line 3, change "comprises" to ---has---.

In the Claims

In claim 6, line 6, after "said second" insert ---heating---.

Cancel claims 10-13. Applicant reserves the right to file these claims in a divisional application.

REMARKS

In view of the above amendments, the only outstanding objection to the application is a provisional obviousness type double patenting rejection relative to application number 09/032,676. That application is directed to an improvement to the system disclosed in the present application and was not filed until February 27, 1998, well after the priority date of May 11, 1992 of the present application. Accordingly, if a Terminal Disclaimer is required to overcome double patenting between the two cases, that Terminal Disclaimer would only be required in application 09/032,676. Further, as noted by the Examiner, claims have not yet been allowed in that application. Accordingly, no Terminal Disclaimer should be required in this application and the rejection should be withdrawn.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner finds that the application is not in condition for allowance, it is requested that the undersigned be called at (781) 861-6240.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 

James M. Smith, Esq.

Registration No. 28,043

Telephone (781) 861-6240

Facsimile (781) 861-9540

Lexington, Massachusetts 02421-4799

Dated: 8/21/00